

United States Bankruptcy Court, Southern District of Alabama
Quarterly Bankruptcy Section Meeting, May 13, 2025

1. Section chair Alex Garrett
2. Judges Callaway and Oldshue
 - Filing numbers – see attached chart. Chapter 13 filings through April are up 10.06% from 2024, chapter 7 filings up 7.6%
 - Tax returns – IRS backlog
 - Chapter 13 audit findings
 - Late filings of schedules
 - Schedules I & J amendments
 - No court week of Memorial Day/Bankruptcy at the Beach
3. Troy Baas, Deputy Clerk of Court
 - Multi-factor authentication for PACER/CM/ECF users
4. Mark Zimlich, Bankruptcy Administrator
5. Chris Conte, Chapter 13 Trustee
 - Feedback on new additions to trustee's notes
 - Withdrawal of objection to confirmations versus amended plan (see attached)
6. Consumer committee – Lacy Robertson
7. Business committee – Evan Parrott
8. Open the floor
9. Next meeting Tuesday, August 12, 2025 – jury assembly room, second floor of Federal Courthouse, with Microsoft Teams component. Let Andrea Redmon know if you would like to sponsor.

Monthly bankruptcy filings in the Southern District of Alabama since January 2019

600

500

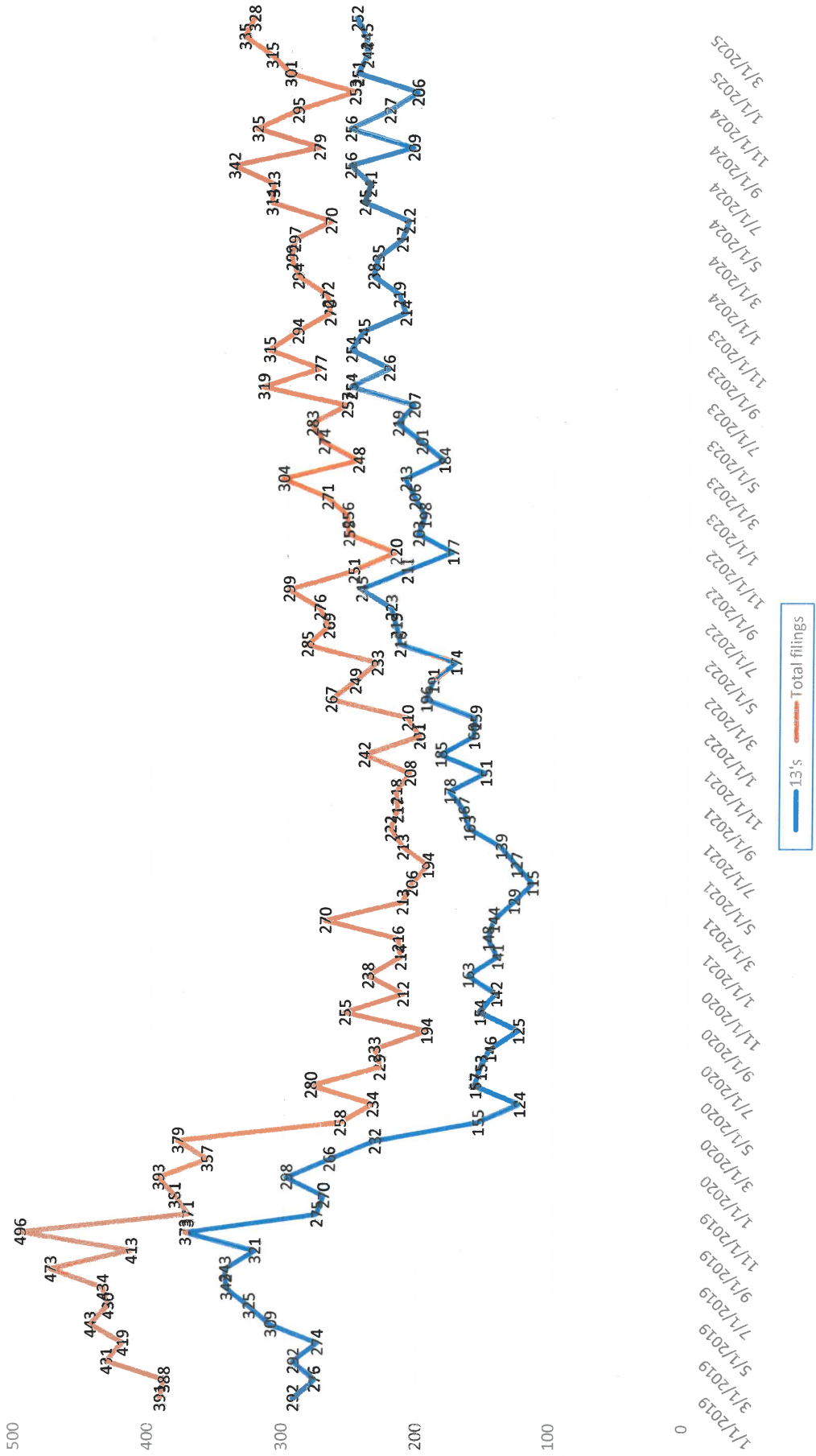
400

300

200

100

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after the expiration of the non-governmental claims bar date. The debtor and the debtor's counsel are not required to appear at the scheduled confirmation hearing if there are no unresolved objections to confirmation.

(b) Service of original plan. If the debtor files a plan at the same time of the filing of the petition and creditor matrix, the clerk of court will serve the plan with the notice of a commencement of a chapter 13 case on the creditor matrix. The debtor is responsible for any additional service required by Bankruptcy Rules 3012(b) and 7004. Otherwise, pursuant to Bankruptcy Rule 3015(d) the debtor shall serve the plan on all creditors when it is filed with the court.

(c) Preconfirmation modification of a plan. The modification of treatment for a secured, priority, or nondischargeable debt that is already addressed in the original plan can be handled with an agreed withdrawal of objection to confirmation and/or joint motion for valuation which is not required to be served on other creditors. The modified treatment must be reflected in the final plan summary as set out below.

However, preconfirmation plan modifications (1) to add or delete a secured, priority or nondischargeable debt or (2) modify the treatment of a secured, priority, or nondischargeable debt other than by agreement must be made by an amended plan. The debtor must serve the amended plan on all creditors as listed on the most recent creditor matrix. The debtor is also responsible for any additional service required by Bankruptcy Rules 3012(b) and 7004. The debtor is not required to sign the amended plan if signed by the debtor's counsel.

If a chapter 13 debtor files an amended plan before confirmation, any objections previously filed to any prior plan are deemed denied without prejudice as moot, except those of secured creditors whose treatment has not changed as provided by Bankruptcy Code § 1323(c). Objections to the plan as last amended must be filed at least seven days prior to the confirmation hearing date as provided by Bankruptcy Rule 3015(f).

(d) Final plan summary. Within 14 days of the chapter 13 trustee's recommendation of confirmation, the debtor shall file a final plan summary, using the form provided on the court's website, which shall include all changes made to the debtor's plan since it was originally filed. Failure to timely file the final plan summary may result in dismissal of the case or reduction of attorney's fees. The final plan summary will be a private filing event in CM/ECF.

(e) Confirmation order. After the final plan summary has been filed, the chapter 13 trustee shall prepare and submit to the court a proposed order confirming the terms of the debtor's plan. Upon its entry, the clerk of court shall serve the confirmation order on all creditors. The confirmation order will include a summary of the plan terms and the percentage distribution to be paid on unsecured claims. The confirmation order will also include a negative notice provision that a creditor with an allowed unsecured claim may file an objection to the treatment of unsecured claims within 21 days of the entry of the order. The court will schedule a hearing on any timely-filed objection to the confirmation order. The chapter 13 trustee shall begin disbursements pursuant to the plan upon entry of the confirmation order.

CHAIRPERSON'S MESSAGE

On behalf of the Bankruptcy and Commercial Law Section Board, we are excited to gather again on May 30-31 at the Henderson Beach Resort in Destin, FL. If you have not already done so, please make plans to attend by registering for the seminar and booking your hotel room. Our room block is filling up fast, so don't delay! We have an outstanding lineup of speakers this year, including many of our Alabama Bankruptcy Judges. Nancy B. Rapoport, UNLV Distinguished Professor at the William S. Boyd School of Law, and Joseph R. Tiano, co-founder of Legal Decoder, will provide our Commercial Keynote presentation on the use of artificial intelligence in bankruptcy practice. Judge Selene Maddox, U.S. Bankruptcy Court for the Northern District of Mississippi, will provide our Consumer Keynote presentation on a variety of topics. In addition, Bill Rochelle, ABI Editor-at-Large, will lead a judicial panel on issues that courts disagree about in consumer and commercial cases. As always, we are grateful to all of our judges for their continuing support of our Section and this seminar. Without them, Bankruptcy at the Beach would not be possible. We look forward to seeing everyone at the beach!

*Evan N. Parrott, Chairperson
Bankruptcy and Commercial Law Section*

SECTION DUES

Section Dues are now paid through the Alabama State Bar. To renew your membership, please make your \$20.00 payable to the Bankruptcy & Commercial Law Section, P.O. Box 671, Montgomery, Alabama 36101 or visit the Bar's website: www.alabar.org to pay your dues online.

HOTEL ACCOMMODATIONS

The Henderson Beach Resort & Spa
200 Henderson Resort Way
Destin, FL 35241
Reservations: (855) 741-2777
For Online Reservations,
use **GROUP** Code 10D2P7
Group Rate: \$404-518 per night
(excluding taxes and fees)
Deadline for Group Rate: May 18, 2024

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2025

BANKRUPTCY AT THE BEACH

37th ANNUAL SEMINAR OF
THE ALABAMA STATE BAR
BANKRUPTCY & COMMERCIAL
LAW SECTION



**MAY 30th –
MAY 31st, 2025**

8.0 HOURS CLE CREDIT



Keynote Speakers

Honorable Selene D. Maddox Bankruptcy Judge, Northern District of Mississippi

Selene D. Maddox, Judge, US Bankruptcy Court, Northern District of Mississippi received her undergraduate and JD degrees from the University of Mississippi. She was appointed to the bench October 22, 2018. Prior to her appointment she practiced bankruptcy law in north Mississippi for 30 years and served as a Chapter 7 Trustee.

Professor Nancy B. Rapoport

Nancy B. Rapoport is the UNLV Distinguished Professor at the William S. Boyd School of Law. She is a Fellow of the American College of Bankruptcy and the American Bar Foundation. Her specialties are bankruptcy ethics, ethics in governance, law firm behavior, and the depiction of lawyers in popular culture. Among her published works are Bernard A. Burk, Veronica J. Finkelstein & Nancy B. Rapoport, *Ethical Lawyering: A Guide for the Well-Intentioned* (Aspen Publishing 2021; 2d ed. forthcoming 2025), Nancy B. Rapoport & Joseph R. Tiano, Jr., *A Short & Happy Guide to the Ethics of Using AI and Other Legal Tech* (West Academic, forthcoming 2025)

Joseph R. Tiano

Joseph R. Tiano is the co-founder of Legal Decoder, a company that helps law firms optimize business results using intelligent legal spend data analytic tools. Fee examiners have used Legal Decoder in, among other cases, the bankruptcy cases of Purdue Pharma, PG&E, and Toys "R" Us. Prior to starting his company, he practiced law for nearly 20 years. He co-authored *A Short & Happy Guide to the Ethics of Using AI and Other Legal Tech* with Nancy B. Rapoport.

Agenda

Friday, May 30, 2025

- 9:00-12:00 Registration
- 12:15-12:30 Welcome/Section Business Meeting
- 12:30-1:30 Creditors' Rights/UCC Update (James Roberts and Hanna Lahr)
- 1:30-1:45 Break
- 1:45-2:45 Commercial Keynote (Nancy Rapoport and Joseph R. Tiano)
- 2:45-3:15 American Board Certification (Judge Oldshue and Danielle Mashburn-Myrick)
- 3:15-3:30 Break
- 3:30-4:30 Consumer Keynote (Judge Maddox)
- 4:30-5:30 Ethics (Roman Shaul)
- 6:30-8:00 Reception

Saturday, May 31, 2025

- 7:30-8:30 Breakfast
- 8:30-9:30 11th Circuit Update (Judges Creswell and Robinson)
- 9:30-9:40 Break
- 9:40-10:40 Big Stuff that Courts Disagree About In Consumer, Reorganization & Sub V (Bill Rochelle and Judges' Panel)
- 10:40-10:55 Break
- 10:55-11:55 Consumer and Commercial Judges Panels (separate rooms)
- 11:55-12:25 District Roundtables (separate rooms)



Officers

Chairperson:	Evan N. Parrott
Vice Chairperson:	Diane Murray
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Registration Form

Make Checks Payable to:

BANKRUPTCY AND COMMERCIAL LAW SECTION

Mail to: ASB Bankruptcy Section
c/o Reid Tolar, Treasurer
Reid Tolar Law
250 Winton Blount Loop
Montgomery, AL 36117

May 23, 2025 is the cutoff date for accepting Seminar cancellations and mailing in pre-registrations. After May 23rd, bring your registration form and check for the late registration fee to the Seminar.

Name _____

Firm/Organization Name _____

Email address for materials download _____

ASB No. for CLE Credit _____

Government Employees get \$25.00 off registration fees. Please note that you are a government employee on the check.

Pre-Registration - \$375.00 _____

Late Registration - \$400.00 _____

Cocktail Party (# attending) _____

Total Due \$ _____